

8-401.

(a) Whenever the tenant under any lease of property, express or implied, verbal or written, shall fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises so rented.

(b) (1) Whenever any landlord shall desire to repossess any premises to which [he] THE LANDLORD is entitled under the provisions of subsection (a) of this section, [he] THE LANDLORD or [his] THE LANDLORD'S duly qualified agent or attorney shall make [his] THE LANDLORD'S written complaint under oath or affirmation, before the District Court of the county wherein the property is situated, describing in general terms the property sought to be repossessed, and also setting forth the name of the tenant to whom the property is rented or [his] THE TENANT'S assignee or subtenant with the amount of rent AND ANY LATE FEES due and unpaid; and praying by warrant to repossess the premises, together with judgment for the amount of rent ~~AND LATE FEES due AS DETERMINED BY THE COURT IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION~~ and costs, COSTS, AND ANY LATE FEES. FOR THE PURPOSE OF THE COURT'S DETERMINATION UNDER SUBSECTION (C) OF THIS SECTION, THE LANDLORD SHALL ALSO PRAY FOR SPECIFY THE AMOUNT OF RENT DUE UNDER FOR EACH RENTAL PERIOD UNDER THE LEASE, THE DAY THAT THE RENT IS DUE FOR EACH RENTAL PERIOD, AND ANY LATE FEES FOR OVERDUE RENT PAYMENTS. The District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering [him] THE CONSTABLE OR SHERIFF to notify by first-class mail the tenant, assignee, or subtenant to appear before the District Court at the trial to be held on the fifth day after the filing of the complaint, to answer the landlord's complaint to show cause why the prayer of the landlord should not be granted, and the constable or sheriff shall proceed to serve the summons upon the tenant, assignee or subtenant in the property or upon [his] THE TENANT'S, ASSIGNEE'S, OR SUBTENANT'S known or authorized agent, but if for any reason, neither the tenant, assignee or subtenant, nor [his] THE TENANT'S, ASSIGNEE'S, OR SUBTENANT'S agent, can be found, then the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property. The affixing of the summons upon the property after due notification to the tenant, assignee, or subtenant by first-class mail shall conclusively be presumed to be a sufficient service to all persons to support the entry of a default judgment for possession of the premises, together with court costs, in favor of the landlord, but it shall not be sufficient service to support a default judgment in favor of the landlord for the amount of rent due.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, in Wicomico County, in an action to repossess any premises under this section, service of process on a tenant may be directed to any person authorized under the Maryland Rules to serve process.

(c) (1) If, at the trial on the fifth day indicated in subsection (b) of this section, the court is satisfied that the interests of justice will be better served by an adjournment to enable either party to procure [his] necessary witnesses, [he] THE COURT may adjourn the trial for a period not exceeding one day, except that if the consent of all parties is obtained, the trial may be adjourned for a longer period of time.